CRLR No. 245 of 2001
(Old No. 94 of 1988)
Hon'ble Irshad Hussain J.

Heard Sri Alok Singh, learned counsel for the revisionists and A.G.A.

The learned counsel for the revisionists Sri Alok Singh made a statement at the bar that in criminal cases pending against the acquittal was passed. Earlier during the pendency of the trial accused failed to put in appearance whereupon order was passed to initiate proceedings under section 446 Cr.P.C. against the sureties. It appears from the record that the final orders in the proceedings were not passed after issuing notices to the sureties and in the meanwhile the appeal against the order dated 10.6.1987 was preferred by the accused which was held not maintainable in view of the proceedings directed to be initiated against the sureties. However, the accused in the criminal cases have been acquitted and the proceedings u/s 446 Cr.P.C. were not taken up according to law and finally terminated after issuance of show cause notices etc. Therefore, now it would not be now just and proper to initiate proceedings against the sureties. In fact, the revision has become infructuous and the same is disposed of accordingly. Consign.

(Irshad Hussain, J.)

Dt. 30.10.2002
Malkani